



## **Request for City Council Committee Action from the City Attorney's Office**

**Date:** July 16, 2014

**To:** Intergovernmental Relations Committee of the City Council


**Referral to:**

**Subject:** Recommended language and title for ballot question pertaining to the "70/30 & Food" wine and liquor license provisions in the City Charter.

**Recommendation:** That the City Council adopt by resolution the ballot language and title as prepared by the City Attorney's Office for the Charter Commission's proposed "70/30 & Food" amendment to the City Charter for placement on the November 2014 general election ballot.

**Previous Directives:**

### **Department Information**

Prepared by: Burt T. Osborne, Assistant City Attorney  
Approved by: Susan Segal, City Attorney   
Presenters in Committee: Susan Segal, City Attorney

### **Reviews**

n/a

### **Financial Impact**

- No financial impact

### **Supporting Information**

On June 4, 2014, the Charter Commission considered an amendment to the City Charter concerning liquor (wine and beer) licensing regulations and voted unanimously to recommend the City Charter be amended. The text of the recommended amendment is set forth below:

**Section 1. City Charter Article IV, §4.1(f)(2) & (3) is amended to read as follows:**

**(2) Wine licenses. The Council may grant a license for the on-sale of wine, which may include the on-sale of intoxicating malt beverages, to a restaurant ~~whose gross receipts are at least 70 percent attributable to the sale of food, if the restaurant which~~ otherwise qualifies for the license under each applicable law or ordinance.**

**(3) On-site consumption. The Council must by ordinance establish standards so that for a restaurant a business holding a liquor license in an areas smaller than seven acres -**

~~**(A) does not sell, serve, or permit to be consumed any wine or intoxicating malt beverage, unless the buyer orders a meal; and**~~

~~**(B) does not have a bar or bar area.**~~

**Section 2. This amendment is effective January 16, 2015.**

The Charter Commission's recommended amendment must now be submitted to the electorate in the form of a ballot question as part of the November 4, 2014 general election pursuant to Minn. Stat. § 410.12, subd. 1. The proposal was transmitted by Barry Clegg, Chair of the Charter Commission, in a letter dated June 5, 2014.

The City Attorney's Office has drafted proposed language and a title for this ballot question as follows:

**Remove Mandatory Food-to-Wine or Beer Percentages**

**Shall the Minneapolis City Charter be amended to remove the mandatory food-to-wine or beer (70% to 30%) gross sales percentage for wine licenses for restaurants and to remove the requirement that businesses holding liquor licenses in certain areas of the City must serve a meal with every order of wine or beer?**

The City Council is responsible for drafting the wording of the question for the proposed charter amendment by passing a resolution. Pursuant to state statute, the Council has no authority to revise in any way the charter amendment proposed by the Charter Commission.